

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6037
Jeff Merkley for Oregon and Kevin)
Neely, in his official capacity as)
treasurer; Jeff Merkley; Democratic Party)
of Oregon and Laura Calvo, in her)
official capacity as treasurer; Democratic)
Senatorial Campaign Committee and)
John B. Poersch, Jr., in his official)
capacity as treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary of the Federal Election Commission executive session, do hereby certify that on November 17, 2009, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to pass a motion to:

- a) Find no reason to believe that Jeff Merkley for Oregon and Kevin Neely, in his official capacity as treasurer; Jeff Merkley; Democratic Party of Oregon and Laura Calvo, in her official capacity as treasurer; or Democratic Senatorial Campaign Committee and John B. Poersch, Jr., in his official capacity as treasurer, violated the Act in connection with the alleged coordinated communications and reporting violations in this matter.
- b) Find no reason to believe that the Democratic Party of Oregon and Laura Calvo, in her official capacity as treasurer, violated 2 U.S.C. § 441i(b).
- c) Find reason to believe that the Democratic Party of Oregon and Laura Calvo, in her official capacity as treasurer, violated 2 U.S.C. § 441d.
- d) Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated September 17, 2009.

1) Approve the appropriate letters.

Commissioners Bauerly and Walther voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented. Commissioner

Weintraub recused herself with respect to MUR 6037 and did not vote.

2. Decided by a vote of 5-0 to:

Close the file in MUR 6037.

Commissioners Bauerly, Hunter, McGahn II, Petersen, and Walther voted affirmatively for the decision. Commissioner Weintraub recused herself with respect to MUR 6037 and did not vote.

Attest:

November 18, 2009
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission